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## TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) **CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER 478.1079

To be Assigned

INTERNATIONAL APPLICATION NO. PCT/GB2004/003940

INTERNATIONAL FILING DATE 15 September 2004 PRIORITY DATE CLAIMED

15 September 2003

TITLE OF INVENTION DRY POWDER INHALER APPLICANT(S) FOR DO/EO/US Quentin HARMER; Roger William CLARKE and Stephen William EASON Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. The US has been elected (Article 31). A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (required only if not communicated by the International Bureau). A has been communicated by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US). An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). is attached hereto. has been previously submitted under 35 U.S.C. 154(d)(4). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) are attached hereto (required only if not communicated by the International Bureau). have been communicated by the International Bureau.  $\square$  have not been made; however, the time limit for making such amendments has NOT expired. have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 43. A preliminary amendment. 14. An Application Datasheet under 37 CFR 1.76. A substitute specification. A power of attorney and/or change of address letter. 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. Other items or information: Letter re: Priority; unexecuted Declaration/Power of Attorney document, return postcard

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IAP9 Rec'd PCT/PTO 14 MAR 2005

PTO-1390 (Rev. 2-2005)
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The following fees have been submitted  22. Examination fee  15 International preliminary examination report prepared by USPTO ands all claims satisfy provisions of PCT Article 33(1)(4).  23. Sarah fee  Search fee (37 CFR 1.45(a)(2)) has been paid on the international application to the USPTO as an international Search Report prepared and provided to the Office.  Sarah fee (37 CFR 1.45(a)(2)) has been paid on the international application to the USPTO as an international Search Report prepared and provided to the Office.  Sarah fee (37 CFR 1.45(a)(2)) has been paid on the international application to the USPTO as an international Search Report prepared and provided to the Office.  Sarah fee (37 CFR 1.45(a)(2)) has been paid on the international application to the USPTO as an international Search Report prepared and provided to the Office.  Sarah fee (37 CFR 1.45(a)(2)) has been paid on the international application to the USPTO as an international Search Report prepared and provided to the Office.  Sarah fee (37 CFR 1.45(a)(2)) has been paid on the international application to the USPTO as an international Search Report prepared and provided to the Office.  Sarah fee (37 CFR 1.45(a)(2)) has been paid on the international application to the USPTO as an international paper over 100 sheets (excluding sequence listing or computer program listing filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium.  Total Sarah	21. Seamination fee  22. Examination fee  11. International preliminary examination report prepared by USPTO ands all claims satisfy provisions of PCT Article 333(1)-(4)	U.S. APPLICATI	S. APPLICATION NO. (Enoyh, lee ) (2.55) INTERNATIONAL APPLICATION NO. PCT/GB2004/003940					<b>D</b> .	ATTORNEY'S DOCKET NO. 478.1079		
22. Examination fee  If International preliminary examination report prepared by USPTO ands all claims satisfy provisions of PCTA Article 333(1)-(4)	### Stamination fee ### International preliminary examination report prepared by USPTO ands all claims satisfy provisions of PCT Article 33(1)(4)	The following fees have been submitted						С	ALCULATIONS	PTO USE ONLY	
If international preliminary examination report prepared by USPTO ands all claims satisfy provisions of PCT Article 33(3)(1)(4)	International preliminary examination report prepared by USPTO ands all claims satisfy provisions of PCT Article 333(1)-(4)	21. 🛚	Basic national fe	90			\$300	\$	300.00		
Search fee (37 CFR 1.445(a)(2)) has been paid on the International application to the USPTO as an International Search Report prepared and provided to the Office	Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an international Searching Authority	If International preliminary examination report prepared by USPTO ands all claims satisfy provisions of PCT Article 333(1)-(4)							200.00		
TOTAL OF 21, 22 and 23 = \$900.00  Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  Total Sheets	TOTAL OF 21, 22 and 23 = \$900.00  Additional fee for specification and drawings filled in an electronic medium). The fee is \$229 for each additional 30 sheets of paper or fraction thereof.  Total Sheets	Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority							400.00		
sequence listing or computer program listing filed in an electronic medium).  The fee is \$250 for each additional 50 servation in the rection thereof.  Total Sheets	sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 services of paper or fraction thereof.  Total Sheets							\$	900.00		
A2 - 100 =   150 =   150 =	A2 - 100 =   EXTS SPEELS   thereof (round up to a whole number)   XS   EXECUTE   X \$ 2250   S	sequence listing or computer program listing filed in an electronic medium).									
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))	Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))	Total Sheets	Extra Sheets								
earliest claimed priority date (37 CFR 1.492(e)).  CLAIMS NUMBER FILED NUMBER EXTRA RATE  Total Claims 31 - 20 = 11	earliest claimed priority date (37 CFR 1.492(e))	<b>42 -</b> 100 =	/50 =				× <b>\$250</b>	= \$			
Total Claims  31 - 20 = 11	Total Claims  31 - 20 = 11	Surcharge of \$ earliest claimed	130.00 for furnis d priority date (3)	hing the oath or 7 CFR 1.492(e))	declaration later than	30 mo	nths from the	. \$			
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MULTIPLE DEPENDENT CLAIM(S) (if applicable)	MULTIPLE DEPENDENT CLAIM(S) (if applicable)	Total Claims		31 - 20 =	11	х	\$50 =	= \$	550.00		
TOTAL OF ABOVE CALCULATIONS = \$1450.00  Applicant claims small entity status. See 37 C.F.R. 1.27. Fees above are reduced by %.  SUBTOTAL = \$1450.00  Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(ft)).  TOTAL NATIONAL FEE = \$1450.00  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$  TOTAL FEES ENCLOSED = \$1450.00  Amount to be refunded: \$  Amount to be charged: \$  C. A check in the amount of \$1450.00 to cover the above fees is enclosed.  D. Please charge my Deposit Account No. in the amount of \$ to cover the above fees.  A duplicate copy of this sheet is enclosed.  C. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0552. A duplicate copy of this sheet is enclosed.  D. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card information and guthorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has no been mont, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status  SEND ALL CORRESPONDENCE TO:  Davidson, Davidson & Kappel, LLC 485 Seventh Avenue, 14th Floor New York, NY 10018  Cary S. Kappel	TOTAL OF ABOVE CALCULATIONS = \$ 1450.00  Applicant claims small entity status. See 37 C.F.R. 1.27. Fees above are reduced by ½.  SUBTOTAL = \$ 1450.00  Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  TOTAL NATIONAL FEE = \$ 1450.00  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$  TOTAL FEES ENCLOSED = \$ 1450.00  Amount to be charged:  TOTAL FEES ENCLOSED = \$ 1450.00  Amount to be charged:  TOTAL FEES ENCLOSED = \$ 1450.00  TOTAL FEES ENCL	Independent C	laims	2 - 3 =	0	х	\$200 =	= \$			
Applicant claims small entity status. See 37 C.F.R. 1.27. Fees above are reduced by ½.  SUBTOTAL = \$1450.00  Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  TOTAL NATIONAL FEE = \$1450.00  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +  TOTAL FEES ENCLOSED = \$1450.00  Amount to be charged: \$  Amount to be charged: \$  Amount to be charged: \$  A duplicate copy of this sheet is enclosed.  Deposit Account No. 50-0552. A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0552. A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit card Information should not be Included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been mm, a petition to revive (37 CFR 1.137(a) or (b)) must be filled and granted to restore the application to pending status.  SEND ALL CORRESPONDENCE TO:  Davidson, Davidson & Kappel, LLC  485 Seventh Avenue, 14th Floor New York, NY 10018  Cary S. Kappel	Applicant claims small entity status. See 37 C.F.R. 1.27. Fees above are reduced by ½.  SUBTOTAL = \$1450.00  Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  TOTAL NATIONAL FEE = \$1450.00  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$  TOTAL FEES ENCLOSED = \$1450.00  Amount to be refunded: Amount to be charged: \$  a. A check in the amount of \$1450.00 to cover the above fees is enclosed.  b. Please charge my Deposit Account No. in the amount of \$ to cover the above fees.  A duplicate copy of this sheet is enclosed.  c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. \$50.0552. A duplicate copy of this sheet is enclosed.  d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and aduthorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status  SEND ALL CORRESPONDENCE TO:  Davidson, Davidson & Kappel, LLC 485 Seventh Avenue, 14th Floor New York, NY 10018 (212)-736-1940  NAME  Dated: March 14, 2006	MULTIPLE DE	PENDENT CLA	M(S) (if applicat	ole)	+	\$360 -	⊦ \$			
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a. A check in the amount of \$1450.00 to cover the above fees is enclosed.  b. Please charge my Deposit Account No. in the amount of \$ to cover the above fees.  A duplicate copy of this sheet is enclosed.  c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0552. A duplicate copy of this sheet is enclosed.  d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.  SEND ALL CORRESPONDENCE TO:  Davidson, Davidson & Kappel, LLC  485 Seventh Avenue, 14th Floor New York, NY 10018  Cary S. Kappel	a. A check in the amount of \$1450.00 to cover the above fees is enclosed.  b. Please charge my Deposit Account No, in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.  c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0552. A duplicate copy of this sheet is enclosed.  d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status  SEND ALL CORRESPONDENCE TO:  Davidson, Davidson & Kappel, LLC 485 Seventh Avenue, 14th Floor New York, NY 10018 (212)-736-1940  Dated: March 14, 2006  The amount of \$				тотл	AL FEE	S ENCLOSED	= \$	\$ 1450.00		
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New York, NY 10018 Cary S. Kappel	New York, NY 10018     Cary S. Kappel       (212)-736-1940     NAME       Dated: March 14, 2006     36,561				s	IGNATU	RE /		<u> </u>		
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- Letter re: Priority (1 page);
- Preliminary Amendment (8 pages);
- Copy of Int. Patent Application PCT/GB2004/003940 (33 pages);
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